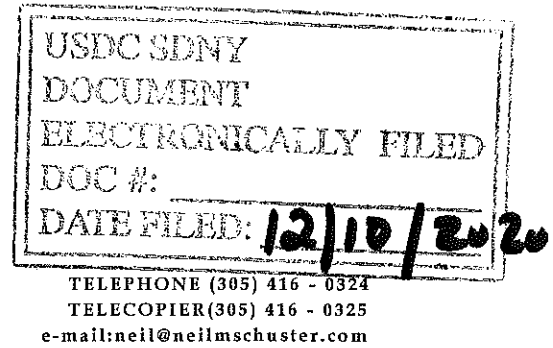


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December 7, 2020

BY ECF

MEMO ENDORSED

Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Zalmund Zirkind*, S9 19 Cr. 463 (DLC)
LETTER MOTION TO AMEND CONDITIONS OF BOND FROM DECEMBER
10-17, 2020 TO PERMIT RELEASE FROM HOME CONFINEMENT FOR
ATTENDANCE AT HANUKAH SERVICES.

Dear Judge Cote:

On behalf of Mr. Zirkind, this application follows earlier related requests and respectfully seeks an opportunity to attend Hanukah services for midday prayers, followed by lighting of the menorah at Congregation Lubavitch, 770 Eastern Parkway in Brooklyn, NY. The Defendant was released on home confinement on July 22, 2020. On varied applications, this Court permitted the Defendant's attendance at Shabbat services, DE 82, High Holiday and related holiday services, DE 106, religious cemetery visitation, DE 153, and morning religious services from 9 a.m. to 11 a.m., DE 146. The Defendant has fully complied with all conditions of his limited liberty. He pled guilty to the pending Indictment and is scheduled for punishment proceedings on January 15, 2021.

The Defendant is cognizant of this Court's continuing order that he fully respect all laws governing COVID -19 health requirements. The Defendant has scrupulously observed those legal requirements and will continue to do so. The schedule for midday Hanukah prayers, including travel time follows:

- 1) December 10, from 2:55- 4pm
- 2) December 11, from 2:55- 4pm
- 3) December 13, from 2:55- 4pm
- 4) December 14, from 2:55- 4pm
- 5) December 15, from 2:55- 4 pm
- 6) December 16, from 2:55- 4pm
- 7) December 17, from 2:55- 4pm

As noted in a related motion approved by this Court on October 30, 2020, DE 145, prayer service shall take place at the Lubavitch Synagogue. The Lubavitch Synagogue is not in a COVID-19 hotspot. Prayers would take place in the Zal room, which houses less than 25% of the normal number of congregants. That prayer location is filled with a number of tables, larger than 6 feet in length, and no more than 2 people are seated at each table during services. The Defendant will wear a mask during the entirety of the service. The Defendant attends Sabbath and morning services under the same conditions, socially distanced and intends to continue with this cautionary care in light of Your Honor's earlier related order.

Counsel has reviewed this request with the assigned prosecutors and USPO Rothman who agree with the relief requested.

We thank Your Honor for your review.

Respectfully submitted,

/s Neil M. Schuster

Neil M. Schuster

NMS:asnd

By ECF:

Josh Rothman, PTS, Intensive Supervision Specialist

Stephanie Lake, AUSA

Aline R Flodr, AUSA

Sebastian Swett, AUSA

Attendance is granted to the extent that it conforms with the representations made in this letter. 12.11.2020



DENISE COTE

United States District Judge